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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/003,972	Applicant(s) STOUB
	Examiner Jeffrey Allen ROSSI	Group Art Unit 2122

☒ Responsive to communication(s) filed on _Jan 24, 2001_

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire _____ _3_ __ month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) _35-111_ ―is/are pending in the applicat

Of the above, claim(s) _NONE_ ―is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) _35-111_ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____ .

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

DETAILED ACTION

1.   Action is responsive to: the continued prosecution application, filed 1-24-01.

2.   Claims 1-34 have been canceled. Claims 35-111 are pending as filed with the CPA.

3.   The group art unit of your case is 2122. Using the most current art unit information will help us respond in a more timely fashion.

Appendix

The *Appendix* is objected to as comprising more than 10 pages and not having been submitted in microfiche form. See 37 CFR 1.96. Under no circumstances will the application be passed to issue without correction of this problem.

Drawings

4.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Fore example, the step flow diagrams lack a

recitation of determining column widths, and they lack a depiction of selecting fonts. They lack a

depiction of the claimed screen printing mechanism No new matter may be entered..

Oath/Declaration

5.   This application presents a claim for subject matter not originally claimed or embraced in

the statement of the invention. Specifically, Applicant explicitly claims HTML output for

example e.g., claim 44 . A supplemental oath or declaration is required under 37 CFR 1.67. The

new oath or declaration must properly identify the application of which it is to form a part,

preferably by application number filing date in the body of the oath or declaration. See MPEP

§§ 602.01 and 602.02.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and
> process of making and using it, in such full, clear, concise, and exact terms as to enable any
> person skilled in the art to which it pertains, or with which it is most nearly connected, to
> make and use the same and shall set forth the best mode contemplated by the inventor of
> carrying out his invention.

7.   Claims 44 56 59 61 80 94 and 110 are rejected under 35 U.S.C. 112, first paragraph, as

containing subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention.

8.   Regarding claim 44, 56, 80 and 94 it is first noted that Applicant intended to make claim

44 dependent on independent claim 35, since claim 1 has been canceled. Assuming this is the

case, claims 44, 56, 80 and 94 represents new matter since Applicant disclosed reformatting

HTML documents, but did not originally disclose outputting the reformatted documents as

HTML. It appears that the reformatted document is outputted in a proprietary format.

9.   Per independent claim 59, the process of determining a display capability of a window

was not described.

10.   Per dependent claim 61, no support is provided for claimed range of characters per line

11.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and
> distinctly claiming the subject matter which the Applicant regards as his invention.

12.   Claims 42 and rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which Applicant regards as

the invention.

Since Applicant has referred to "the source" without first describing a source the claim is

indefinite. The Examiner likely concurs that a source is probably *inherent* in the claimed

invention (in fact, there are probably many inherent attributes that may be considered inherently

the source). However, multiple parts of the invention could be referred to as "a source",

therefore, the reference to the source has multiple possibilities in terms of correspondence if one

deems it inherent. In short, the reader is left to wonder "which source?". Therefore, there is a

lack of clear antecedent basis.

Claim Rejections - 35 USC § 103

13.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

14.   Claims 35-111 are rejected under 35 U.S.C. 103(a) as being unpatentable over US

6,012,071 A, hereinafter KRISHNA, inview of WAGSTAFF, SEAN, " FutureTense Texture

1.1 designs dynamic pages. (Future Tense's Web authoring software) (Software

Review)(Evaluation)," *MacWEEK*, vol. 11 No. 16, pp. p38(1), 04/1997.

Dependent claims incorporate all the rationale of the rejection as set forth in the

previous claims in the dependency chain. First order dependency has been indicated in

parentheses () for Applicant's convenience.

15.   Per independent claim 35, KRISHNA demonstrates: a system for generating a source in a

non-scrolling format for display in a display window using a processor comprising:

a screen page formatting mechanism ("browser"—col. 3, lines 25 and element

100, FIG. 1) configured to form a screen page dimensioned to fit the display window, to calculate

a number of columns that will fit within the screen page (108 and 104), each column having a

width characteristic (inherent—FIG. 1), and to format the screen page for the number of

columns (FIG. 1); and

a display page formatting mechanism configured to format the source as a display

document having a user selected font characteristic and a plurality of display pages each non-

scrollably displayable for the screen page ("separate a publication's content from its

format"—col. 4, lines 39-40; "sources for each region of a publication"—col. 4, lines 51-53; "

The characteristics of each region may include the region's size, resolution, font, text flow

from column to column in a multi-column publication, leading, indentation, background

color and special treatment."—col. 8, lines 14-18).

The Examiner admits that the exemplary page 100 in FIG. 1, shows scrollable

columns, wherein the claim recites "non-scrollably displayed". Nonetheless, this reference

recites a multi-page publication embodiment (col. 8, lines 43-50), and suggests formatting

the multiple pages per user preferences (text flow from column to column in a multi-column

publication"—col. 8, lines 15-17)

TEXTURE 1.1 , on the other hand, explicitly demonstrates a related product

(commonly owned by Futertense, Inc.); for authoring "dynamic pages that go beyond

HTML's limitations...[including] automatic hyphenations"—page 1. It explicitly

demonstrates "flow[ing] text automatically in columns, complete with hyphenation... By

itself, multi-column text is a nice feature, but multi-column support with text imported on

the fly, even if you don't know how long it will be. If it is longer than the box you have

designated for it, you can make buttons that let the viewer scroll up or down one screenful at

a time"—page 2. Note that although the term "scroll" is used, it refers to a pageful at a time,

which is consistent with the Applicant's recitation of "non-scrollably" displayed. It would

have been obvious to a Person Having Ordinary Skill In The Art, i.e. PHOSITA, at the time

of the invention to non-scrollably display KRISHNA in a manner taught by *TEXTURE 1.1*

because in all likelihood the two publications describe the same product, or at least methods

that have a strong technical relationship to each other as evidenced by the observation that

they are in the same technical field of endeavor and were commonly owned. Further

motivation to combine resulted from the observation that both inventions were directed to

reformatting text from HTML sources "on the fly".

It is noted that Applicant has claimed a "mechanism" which is usually associated

with a device. However, it is clear from Applicant's specification that it would be

impossible to claim a mechanism in that sense since no mechanical device for preforming

the claimed steps is recited. Therefore, "mechanism" refers to a process, which is a way of

claiming computer code operating on a generic processor.

16.   Per independent claim 85, a method directed to the "mechanism" of independent

claim 35, supra, this claim is identically rejected.

17.   Per dependent claim 36(35), KRISNA further disclosed " the width characteristic

comprises a range of a number of characters per line." inherent in columns 104 and 108, and

as was notoriously well-known in the art at the time of the invention.

18.   Per independent claim 86(85), a method directed to the "mechanism" of independent

claim 35, supra, this claim is identically rejected

19.   Per dependent claim 37(35) KRISHNA further disclosed wherein the display

document comprises text ("publication"—ABSTRACT).

20.   Per dependent claim 38(35), both KRISHNA and *TEXTURE 1.1* explicitly discussed

wherein the display page formatting mechanism further is configured to identify an in-line

command in the source and to format the display document according to the in-line

command (HTML source file 218—col. 7, line 40; "text, image, graphic, animation, or

link'"—col. 7, lines 62-65 of KRISHNA; "deliver texture pages as plain HTML"—page 1;

"Text that contains HTML formatted tags will appear in the appropriate format in the

flowing columns..."page 2 of *TEXTURE 1.1*).

21.   Per dependent claim 39(35); KRISHNA further discloses claimed image resizing

mechanism configured to resize a graphic image from the source to fit within at least one

column of the display document ("scale down... and scale up an image"—col. 6, lines 17-

25)

22.   Per dependent claim 40(35) and 41(4) KRISHNA further discloses claimed

substitution of a thumbnail for a full sized image, and subsequent expansion of the

thumbnail for a full sized image: " For example, the viewer can obtain a low-resolution

version of an image from a first resource. In response to a user selecting the image, e.g., via

a mouse click, the viewer may be instructed to obtain a high-resolution version of the image

from a second resource. "—col. 5, lines 45-50).

23.   Per dependent claim 42(35) and 43(42); KRISHNA and *TEXTURE 1.1* disclose

claimed formatting mechanism configured to be responsive to a formatting command

embedded in the source to format a portion of at least one display page according to the

formatting command and wherein said command is HTML (HTML source file 218—col. 7,

line 40; "text, image, graphic, animation, or link""—col. 7, lines 62-65 of KRISHNA;

"deliver texture pages as plain HTML"—page 1; "Text that contains HTML formatted tags

will appear in the appropriate format in the flowing columns..."page 2 of *TEXTURE 1.1*).

24.   Per dependent claim 44(35) KRISHNA and *TEXTURE 1.1* lacks wherein the display

page is generated for display as a hypertext markup language page because they both

required a proprietary viewer. Nonetheless, WAGSTAFF discloses in its description of

TEXTURE 1.1 that they were working on a plug in that would deliver TEXTURE pages as

plain HTML. It would have been obvious to PHOSITA at the time of the invention to

output KRISHNA and *TEXTURE 1.1* as HTML because FUTURETENSE was working on

it, in order to allow texture pages to be read as plug-ins for popular browsers.

25.   Per dependent claim 45(35) the output of KRISNA is a web based page (col. 8, lines

42-50).

26.   Per dependent claim 46(35) and 47(35), KRISHNA discloses resizing images (col.

5, lines 41-56). It further discloses: "An HTML file may contain "elements" such as text,

graphics, tables, buttons, etc., "—col. 1, lines 55-60. . It would have been obvious to

PHOSITA to resize tables in KRISHNA and *TEXTURE 1.1* because it was explicitly

suggested by KRISHNA as described in the passages referred to.

27.   Per dependent claim 48(35) KRISHNA resizing information via scale-down (col. 6,

lines 16-25). "Official Notice" is hereby taken that it was notoriously well-known in the art

to include tables in images. It would have been obvious to PHOSITA to reduce tables in

KRISHNA and *TEXTURE 1.1* in order to allow the user to select information of further

interest in a manner suggested by KRISHNA (col. 5, lines 42-55).

28.   Per dependent claim 49(35), the number of columns in KRISHNA and TEXTURE

may comprise more than one ("multi-column"—col. 8, lines 14-17 or KRISHNA.

29.   Per independent claim 50, KRISHNA demonstrates: a system for generating a source

in a non-scrolling format for display in a display window using a processor comprising:

a screen page formatting mechanism ("browser"—col. 3, lines 25 and element **100**,

FIG. 1) configured to form a screen page dimensioned to fit the display window,; and

a display page formatting mechanism configured to format the source as a display

document having a user selected font characteristic and a plurality of display pages each

non-scrollably displayable for the screen page ("separate a publication's content from its

format"—col. 4, lines 39-40; "sources for each region of a publication"—col. 4, lines 51-53;

"The characteristics of each region may include the region's size, resolution, font, text flow

from column to column in a multi-column publication, leading, indentation, background

color and special treatment."—col. 8, lines 14-18).

The Examiner admits that the exemplary page 100 in FIG. 1, shows scrollable

columns, wherein the claim recites "non-scrollably displayed". Nonetheless, this reference

recites a multi-page publication embodiment (col. 8, lines 43-50), and suggests formatting

the multiple pages per user preferences (text flow from column to column in a multi-column

publication"—col. 8, lines 15-17)

TEXTURE 1.1, on the other hand, explicitly demonstrates a related product

(commonly owned by Futertense, Inc.); for authoring "dynamic pages that go beyond

HTML's limitations...[including] automatic hyphenations"—page 1. It explicitly

demonstrates "flow[ing] text automatically in columns, complete with hyphenation... By

itself, multi-column text is a nice feature, but multi-column support with text imported on

the fly, even if you don't know how long it will be. If it is longer than the box you have

designated for it, you can make buttons that let the viewer scroll up or down one screenful at

a time"—page 2. Note that although the term "scroll" is used, it refers to a pageful at a time,

which is consistent with the Applicant's recitation of "non-scrollably" displayed. It would

have been obvious to a Person Having Ordinary Skill In The Art, i.e. PHOSITA, at the time

of the invention to non-scrollably display KRISHNA in a manner taught by *TEXTURE 1.1*

because in all likelihood the two publications describe the same product, or at least methods

that have a strong technical relationship to each other as evidenced by the observation that

they are in the same technical field of endeavor and were commonly owned. Further

motivation to combine resulted from the observation that both inventions were directed to

reformatting text from HTML sources "on the fly".

30.   Per dependent claim 51(50), KRISNA further disclosed " the width characteristic

comprises a range of a number of characters per line." inherent in columns 104 and 108, and

as was notoriously well-known in the art at the time of the invention.

31.   Per dependent claim 52(50) KRISHNA further disclosed wherein the display

document comprises text ("publication"—ABSTRACT).

32.   Per dependent claim 53(50) and 54(50) and 55(50), both KRISHNA and *TEXTURE

1.1* explicitly discussed wherein the display page formatting mechanism further is

configured to identify an in-line command in the source and to format the display document

according to the in-line command (HTML source file **218**—col. 7, line 40; "text, image,

graphic, animation, or link""—col. 7, lines 62-65 of KRISHNA; "deliver texture pages as

plain HTML"—page 1; "Text that contains HTML formatted tags will appear in the

appropriate format in the flowing columns..."page 2 of *TEXTURE 1.1*).

33.   Per dependent claim 56(35) KRISHNA and *TEXTURE 1.1* lacks wherein the display

page is generated for display as a hypertext markup language page because they both

required a proprietary viewer. Nonetheless, WAGSTAFF discloses in its description of

TEXTURE 1.1 that they were working on a plug in that would deliver TEXTURE pages as

plain HTML. It would have been obvious to PHOSITA at the time of the invention to

output KRISHNA and *TEXTURE 1.1* as HTML because FUTURETENSE was working on

it, in order to allow texture pages to be read as plug-ins for popular browsers.

34.   Per dependent claim 57(50) the output of KRISNA is a web based page (col. 8, lines

42-50).

35.   Per independent claim 58, KRISHNA demonstrates: a system for generating a source

in a non-scrolling format for display in a display window using a processor comprising:

     a screen page formatting mechanism ("browser"—col. 3, lines 25 and element 100,

FIG. 1); and

     a display page formatting mechanism configured to format the source as a display

document having a user selected font characteristic and a plurality of display pages each

non-scrollably displayable for the screen page ("separate a publication's content from its

format"—col. 4, lines 39-40; "sources for each region of a publication"—col. 4, lines 51-53;

"The characteristics of each region may include the region's size, resolution, font, text flow

from column to column in a multi-column publication, leading, indentation, background

color and special treatment."—col. 8, lines 14-18) and to fill the screen page with at least

one display page (FIG. 1)..

The Examiner admits that the exemplary page 100 in **FIG. 1**, shows scrollable

columns, wherein the claim recites "non-scrollably displayed". Nonetheless, this reference

recites a multi-page publication embodiment (col. 8, lines 43-50), and suggests formatting

the multiple pages per user preferences (text flow from column to column in a multi-column

publication"—col. 8, lines 15-17)

TEXTURE 1.1 , on the other hand, explicitly demonstrates a related product

(commonly owned by Futertense, Inc.); for authoring "dynamic pages that go beyond

HTML's limitations...[including] automatic hyphenations"—page 1. It explicitly

demonstrates "flow[ing] text automatically in columns, complete with hyphenation... By

itself, multi-column text is a nice feature, but multi-column support with text imported on

the fly, even if you don't know how long it will be. If it is longer than the box you have

designated for it, you can make buttons that let the viewer scroll up or down one screenful at

a time"—page 2. Note that although the term "scroll" is used, it refers to a pageful at a time,

which is consistent with the Applicant's recitation of "non-scrollably" displayed. It would

have been obvious to a Person Having Ordinary Skill In The Art, i.e. PHOSITA, at the time

of the invention to non-scrollably display KRISHNA in a manner taught by *TEXTURE 1.1*

because in all likelihood the two publications describe the same product, or at least methods

that have a strong technical relationship to each other as evidenced by the observation that

they are in the same technical field of endeavor and were commonly owned. Further

motivation to combine resulted from the observation that both inventions were directed to

reformatting text from HTML sources "on the fly".

36.   Per dependent claim 59(58), the system of KRISHNA is further configured to

determine a display capability of said window ("uses this time as an identifier of a

viewer"—col. 10, lines 26-36. Alternately, it is noted that it was notoriously well-known to

identify a browser and would have been implicit in the combination of KRISHNA and

TEXTURE 1.1 .

37.   Per dependent claim 60(58), KRISHNA further demonstrates calculate a number of

columns that will fit within the screen page (108 and 104), each column having a width

characteristic, and to format the screen page for the number of columns (FIG. 1).

  Per dependent claim 61(60), the characters per line is inherent in KRISHNA as was

notoriously well-known in the art.

38.   \Per dependent claim 61(60), defining a range of acceptable characters per line was

notoriously well-known. It would have been obvious to PHOSITA at the time of the

invention to allow the user of KRISNA to specify a range of characters per line in order to

allow automatic optimal selection of font size, and to allow for flexibility in the output

display page, to ease display constraints.

39.   Per dependent claim 62(60), the combination expressly applied was a multi-column

format. However, it is noted that both KRISHNA and *TEXTURE 1.1* expressly provide the

opportunity for the user to determine the number of columns in the output, and that a single

column is implicitly suggested in the combined teachings.

40.   Per dependent claim 63(60), KRISHNA discloses a multi-column format (col. 8,

lines 14-17 and

41.   Per depednent claim 64(58) KRISHNA demonstrates claimed font sizing mechanism

("...property sheet user interface... The characteristics of each region may include...

font"—col. 8, lines 14-18).

42.   Per dependent claim 65(64) and 66(64) it was notoriously well-known to calculate

the number of columns that would fit in a given page for a given font size. It would have

been obvious to PHOSITA at the time of the invention to include this feature in the design

tool of KRISHNA in order to facilitate the formatting of KRISHNA.

43.   Per dependent claim 67(66); KRISHNA is configured to reformat the display page

according to parameters including font size (col. 8, lines 6-25).

44.   Per dependent claim 68 (58); KRISHNA further disclosed wherein the display

document comprises text ("publication"—ABSTRACT).

45.   Per dependent claim 69(58); KRISHNA further discloses partially or totally filling a

display screen (browser 230—FIGS 1-2.)

46.   Per dependent claim 70(58); both KRISHNA and *TEXTURE 1.1* explicitly

discussed wherein the display page formatting mechanism further is configured to identify

an in-line command in the source and to format the display document according to the in-

line command (HTML source file **218**—col. 7, line 40; "text, image, graphic, animation, or

link""—col. 7, lines 62-65 of KRISHNA; "deliver texture pages as plain HTML"—page 1;

"Text that contains HTML formatted tags will appear in the appropriate format in the

flowing columns..."page 2 of *TEXTURE 1.1*).

47.   Per dependent claim 71(58); KRISHNA further discloses claimed image resizing

mechanism configured to resize a graphic image from the source to fit within at least one

column of the display document ("scale down... and scale up an image"—col. 6, lines 17-

25).

48.   Per dependent claim 72(58) and 73(72); KRISHNA further discloses claimed

substitution of a thumbnail for a full sized image, and subsequent expansion of the

thumbnail for a full sized image: " For example, the viewer can obtain a low-resolution

version of an image from a first resource. In response to a user selecting the image, e.g., via

a mouse click, the viewer may be instructed to obtain a high-resolution version of the image

from a second resource. "—col. 5, lines 45-50).

49.   Per dependent claim 74(58)1 *TEXTURE 1.1* describes claimed page turning

mechanism ("...make buttons to let the viewer scroll up or down one screenful at a

time"—page 2).

50.   Per dependent claim 75(58), KRISHNA suggests that one can maximize the viewer

230, since it operates similar to a browser, and because KRISHNA operates in a browser

(col. 3, line 65 et *seq.*).

51.   Per dependent claim 76(58) KRISHNA operates in a browser on a computer screen,

and this was a well-known attribute of a browser window when sized to user preferences.

52.   Per dependent claim 77(58), it was notoriously well known to print contents of a

browser as was taught by KRISHNA ("display or print"—col. 2, line 28).

53.   Per dependent claim 78(58); and 79(78); KRISHNA and *TEXTURE 1.1* disclose

claimed formatting mechanism configured to be responsive to a formatting command

embedded in the source to format a portion of at least one display page according to the

formatting command and wherein said command is HTML (HTML source file **218**—col. 7,

line 40; "text, image, graphic, animation, or link""—col. 7, lines 62-65 of KRISHNA;

"deliver texture pages as plain HTML"—page 1; "Text that contains HTML formatted tags

will appear in the appropriate format in the flowing columns..."page 2 of *TEXTURE 1.1*).

54.   Per dependent claim 80(58); KRISHNA and *TEXTURE 1.1* lacks wherein the

display page is generated for display as a hypertext markup language page because they both

required a proprietary viewer. Nonetheless, WAGSTAFF discloses in its description of

TEXTURE 1.1 that they were working on a plug in that would deliver TEXTURE pages as

plain HTML. It would have been obvious to PHOSITA at the time of the invention to

output KRISHNA and *TEXTURE 1.1* as HTML because FUTURETENSE was working on
it, in order to allow texture pages to be read as plug-ins for popular browsers.

55.   Per dependent claim 81(58); the output of KRISNA is a web based page (col. 8,
lines 42-50).

56.   Per dependent claim 82(58) and 83(58); KRISHNA discloses resizing *images* (col. 5,
lines 41-56). It further discloses: "An HTML file may contain "elements" such as text,
graphics, *tables*, buttons, etc., "—col. 1, lines 55-60. . It would have been obvious to
PHOSITA to resize tables in KRISHNA and *TEXTURE 1.1* because it was explicitly
suggested by KRISHNA as described in the passages referred to *supra*. Furthermore, it was
notoriously well-known to include a table in an image, and thus this limitation is explicitly
suggested in KRISHNA.

57.   Per dependent claim 84(58); Krishna discloses a screen printing mechanism
("display or print"—col. 2, line 28), as was notoriously well-known in the browser art.

58.   Per dependent claim 87(85), KRISHNA demonstrates displaying the display page
(FIG. 1).

59.   Per independent claim 88, KRISHNA discloses a method for generating electronic
information in a non-scrolling format (FIG. 1) for display in a display window using a
processor comprising ("browser"—col. 3, lines 25 and element 100, FIG. 1):

forming a screen page dimensioned to fit the display window (FIG. 1, viewer 230—col. 10,

lines 36-38); sizing the electronic information to a selected font ("The characteristics of each

region may include the region's size, resolution, font, text flow..."—col. 8, lines 14-18);

formatting the electronic information to form a display document having display

pages wherein each display page is wholly displayable in the screen display ("separate a

publication's content from its format"—col. 4, lines 39-40; "sources for each region of a

publication"—col. 4, lines 51-53;

. and generating for non-scrollable display at least one display page (FIG.1).

The Examiner admits that the exemplary page 100 in FIG. 1, shows scrollable columns,

wherein the claim recites "non-scrollably displayed" And "wholly displayable".

Nonetheless, this reference recites a multi-page publication embodiment (col. 8, lines 43-

50), and suggests formatting the multiple pages per user preferences (text flow from column

to column in a multi-column publication"—col. 8, lines 15-17)

TEXTURE 1.1 , on the other hand, explicitly demonstrates a related product

(commonly owned by Futertense, Inc.); for authoring "dynamic pages that go beyond

HTML's limitations...[including] automatic hyphenations"—page 1. It explicitly

demonstrates "flow[ing] text automatically in columns, complete with hyphenation... By

itself, multi-column text is a nice feature, but multi-column support with text imported on

the fly, even if you don't know how long it will be. If it is longer than the box you have

designated for it, you can make buttons that let the viewer scroll up or down one screenful at

a time"—page 2. Note that although the term "scroll" is used, it refers to a pageful at a time,

which is consistent with the Applicant's recitation of "non-scrollably" displayed. It would

have been obvious to a Person Having Ordinary Skill In The Art, i.e. PHOSITA, at the time

of the invention to non-scrollably display KRISHNA in a manner taught by *TEXTURE 1.1*

because in all likelihood the two publications describe the same product, or at least methods

that have a strong technical relationship to each other as evidenced by the observation that

they are in the same technical field of endeavor and were commonly owned. Further

motivation to combine resulted from the observation that both inventions were directed to

reformatting text from HTML sources "on the fly".

60.   Per dependent claim 89(88); KRISHNA discloses a base font (e.g., "Times New

Roman"—col. 6. lines 35-45.

61.   Per dependent claim 90(88); KRISHNA further discloses claimed image resizing

mechanism configured to resize a graphic image from the source to fit within at least one

column of the display document ("scale down... and scale up an image"—col. 6, lines 17-

25).

62.   Per dependent claim 91(88); KRISHNA further discloses claimed substitution of a

thumbnail for a full sized image, and subsequent expansion of the thumbnail for a full sized

image: " For example, the viewer can obtain a low-resolution version of an image from a

first resource. In response to a user selecting the image, e.g., via a mouse click, the viewer

may be instructed to obtain a high-resolution version of the image from a second resource.

"—col. 5, lines 45-50).

63.   Per dependent claim 92(88); KRISHNA further discloses changing the selected font

("font"—col. 4, lines 37-50).

Per dependent claim 93; the combination of KRISHNA and *TEXTURE 1.1* as

described supra (claim 88) explicitly addressed "reformatting" (e.g., importing HTML 'on

the fly') and "wholly displayable" (e.g., "...scroll up or down one page at a time). Therefore

the method and motivation for combination are as previously set forth, supra.

Per dependent claim 94 (88);KRISHNA and *TEXTURE 1.1* lacks wherein the

display page is generated for display as a hypertext markup language page because they both

required a proprietary viewer. Nonetheless, WAGSTAFF discloses in its description of

TEXTURE 1.1 that they were working on a plug in that would deliver TEXTURE pages as

plain HTML. It would have been obvious to PHOSITA at the time of the invention to

output KRISHNA and *TEXTURE 1.1* as HTML because FUTURETENSE was working on

it, in order to allow texture pages to be read as plug-ins for popular browsers.

64.   Per dependent claim 95(88); the output of KRISNA is a web based page (col. 8, lines

42-50).

65.   Per independent claim 96, KRISHNA discloses a method for generating electronic

information in a non-scrolling format (FIG. 1) for display in a display window using a

processor comprising ("browser"—col. 3, lines 25 and element 100, FIG. 1):

forming a screen page dimensioned to fit the display window (FIG. 1, viewer **230**—col. 10,

lines 36-38);

formatting sizing the electronic information to a selected font ("The characteristics

of each region may include the region's size, resolution, font, text flow..."—col. 8, lines 14-

18);

and a plurality of display pages which are non-scrollably displayable in the screen

display ("separate a publication's content from its format"—col. 4, lines 39-40; "sources for

each region of a publication"—col. 4, lines 51-53;

The Examiner admits that the exemplary page **100** in **FIG. 1**, shows scrollable

columns, wherein the claim recites "non-scrollably displayed" And "wholly displayable".

Nonetheless, this reference recites a multi-page publication embodiment (col. 8, lines 43-

50), and suggests formatting the multiple pages per user preferences (text flow from column

to column in a multi-column publication"—col. 8, lines 15-17)

TEXTURE 1.1 , on the other hand, explicitly demonstrates a related product

(commonly owned by Futertense, Inc.); for authoring "dynamic pages that go beyond

HTML's limitations...[including] automatic hyphenations"—page 1. It explicitly

demonstrates "flow[ing] text automatically in columns, complete with hyphenation... By

itself, multi-column text is a nice feature, but multi-column support with text imported on

the fly, even if you don't know how long it will be. If it is longer than the box you have

designated for it, you can make buttons that let the viewer scroll up or down one screenful at

a time"—page 2. Note that although the term "scroll" is used, it refers to a pageful at a time,

which is consistent with the Applicant's recitation of "non-scrollably" displayed. It would

have been obvious to a Person Having Ordinary Skill In The Art, i.e. PHOSITA, at the time

of the invention to non-scrollably display KRISHNA in a manner taught by *TEXTURE 1.1*

because in all likelihood the two publications describe the same product, or at least methods

that have a strong technical relationship to each other as evidenced by the observation that

they are in the same technical field of endeavor and were commonly owned. Further

motivation to combine resulted from the observation that both inventions were directed to

reformatting text from HTML sources "on the fly".

66.   Per dependent claim 97(96); displaying a number of columns with a width

characteristic is inherent in the combination as previously set fort in the rejection of

independent claim 96, supra.

67.   Per dependent claim 98(96); KRISHNA further disclosed wherein the display

document comprises text ("publication"—ABSTRACT).

68.   Per dependent claim 99(96) 100(96 and 101(06); both KRISHNA and *TEXTURE 1.1*

explicitly discussed wherein the display page formatting mechanism further is configured to

identify an in-line command in the source and to format the display document according to

the in-line command (HTML source file **218**—col. 7, line 40; "text, image, graphic,

animation, or link'"—col. 7, lines 62-65 of KRISHNA; "deliver texture pages as plain

HTML"—page 1; "Text that contains HTML formatted tags will appear in the appropriate

format in the flowing columns..."page 2 of *TEXTURE 1.1*).

69.   Per dependent claim 102 (96); KRISHNA and *TEXTURE 1.1* lacks wherein the

display page is generated for display as a hypertext markup language page because they both

required a proprietary viewer. Nonetheless, WAGSTAFF discloses in its description of

TEXTURE 1.1 that they were working on a plug in that would deliver TEXTURE pages as

plain HTML. It would have been obvious to PHOSITA at the time of the invention to

output KRISHNA and *TEXTURE 1.1* as HTML because FUTURETENSE was working on

it, in order to allow texture pages to be read as plug-ins for popular browsers.

70.   Per dependent claim 103(96); the output of KRISNA is a web based page (col. 8,

lines 42-50).

71.   Per independent claim 104, this is a method directed to the system of independent

claim 58, and is identically rejected to independent claim 58, supra.

72.   Per dependent claim 105(104); KRISHNA discloses claimed determining a number

of columns that can fit within a screen page and formatting the screen page (text flow from

column to column in a multi-column publication"—col. 8, lines 15-20.

73.   Per dependent claim 106(105); KRISHNA further disclosed wherein the display

document comprises text ("publication"—ABSTRACT).

74.   Per dependent claim 107(104) 108(104) and 109 (104); both KRISHNA and

TEXTURE 1.1 explicitly discussed wherein the display page formatting mechanism further

is configured to identify an in-line command in the source and to format the display

document according to the in-line command (HTML source file **218**—col. 7, line 40; "text,

image, graphic, animation, or link""—col. 7, lines 62-65 of KRISHNA; "deliver texture

pages as plain HTML"—page 1; "Text that contains HTML formatted tags will appear in

the appropriate format in the flowing columns..."page 2 of *TEXTURE 1.1*).

75.   Per dependent claim 110 (104); KRISHNA and *TEXTURE 1.1* lacks wherein the

display page is generated for display as a hypertext markup language page because they both

required a proprietary viewer. Nonetheless, WAGSTAFF discloses in its description of

TEXTURE 1.1 that they were working on a plug in that would deliver TEXTURE pages as

plain HTML. It would have been obvious to PHOSITA at the time of the invention to

output KRISHNA and *TEXTURE 1.1* as HTML because FUTURETENSE was working on

it, in order to allow texture pages to be read as plug-ins for popular browsers.

76.   Per dependent claim 111(104); the output of KRISNA is a web based page (col. 8,

lines 42-50).

Remarks

The rejections under the COREL NEHAB and IBM references have not been reapplied because the "best" rejection was applied. The Patent & Trademark Office *explicitly* applies the *closest* prior-art in the reasoned statement. Nonetheless, although Applicant apparently attempted to amend via drafting new claims around those references via (*i.e.,* submission of new claims 35-111 presumably over these references), this is believed unsuccessful. The Applicant's arguments in the amendment of 9-5-00 were not convincing; and the Examiner disagrees with the majority of the arguments presented; however, a response to those arguments would be moot in light of new grounds of rejection. Nonetheless, these references may be *reapplied* should Applicant's new amendments render them "better" references as grounds for rejections, and Applicant's remarks will be responded to at that time if this is the case.

The number of claims presented appear unduly multiple, and unnecessarily repetitious. It is confusing to the public, because it is not believed that many of the claims have a significantly different scope. Applicant appears to be "mixing and Matching" descriptors of the invention with no clear focus on the invention being claimed.

Prior Art Cited

NPL

DYSON, P. E., "FutureTense's Texture: slow page viewer mars powerful design

tool," *Seybold Report on Internet Publishing*, vol. 1 No. 1, pp. 5-8, 09/1996.

Conclusion

77.   Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to

(703)-308-9051 (**formal** communications intended for entry)

Or:

(703)-305-9724 (**informal** communications labeled **PROPOSED** or **DRAFT**)

Hand-delivered responses should be brought to:

Sixth Floor Receptionist, Crystal Park II, 2121 Crystal Drive, Arlington, VA.

78.   Any inquiry concerning this communication or earlier communications from the Examiner

should be directed to Jeffrey ROSSI whose telephone number is (703) 308-5213 . The Examiner can

normally be reached on Monday - Friday from 0830 to 1630 EST.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Mark

POWELL, can be reached on (703) 305-9703.

Any inquiry of a general nature or relating to the status of this application or proceeding should be

directed to the Group receptionist whose telephone number is (703) 305-3900.

JR

April 9, 2001

MARK POWELL
SUPERVISORY PATENT EXAMINER
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